

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

JOSE GUAJARDO,

Petitioner,

v.

P. D. BRAZETON, Warden,

Respondent.

Case No. CV 12-06207 JFW (AN)

ORDER ACCEPTING THE FINDINGS
AND RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the file, including the Magistrate Judge's Report and Recommendation ("R&R") and Petitioner's Objections (erroneously titled "Traverse") [27]. Further, the Court has completed a *de novo* review of those portions of the R&R to which Petitioner has objected.

IT IS ORDERED that:

1. The Objections, to the extent they reiterate arguments made in the Petition, are overruled for the reasons set forth in the R&R. The Objections are also overruled to the extent they make perfunctory references to additional claims without any specific facts. *See Blackledge v. Allison*, 431 U.S. 63, 74, 76 n.7, 97 S. Ct. 1621 (1977) ("[C]onclusory allegations unsupported by specifics [are] subject to summary dismissal, as are contentions that in the face of the record are wholly incredible," and

1 a federal habeas petition “is expected to state facts that point to a real possibility of
2 constitutional error”) (internal quotation marks omitted).

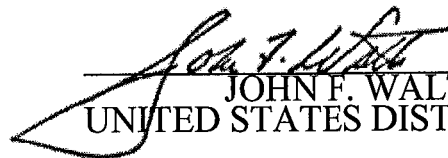
3 2. The Court accepts the findings and recommendation of the R&R.

4 3. Judgment shall be entered denying the Petition and dismissing this action
5 with prejudice.

6 4. All pending motions are denied as moot and terminated.

7 IT IS FURTHER ORDERED that the clerk of the Court shall serve a copy of this
8 Order and the Judgment on all counsel or parties of record.

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11 Dated: June 6, 2013



JOHN F. WALTER
UNITED STATES DISTRICT JUDGE